

RESOLUTION 2004-16

A RESOLUTION DENYING A SUPPLIER'S LICENSE TO MILLER PIZZA COMPANY, INC.

The Indiana Gaming Commission (Commission) adopts the following resolution pursuant to the authority granted to it under IC 4-33 and pursuant to 68 IAC 1-2-6.

The Commission has considered the following factors:

1. On or about December 30, 2002, Miller Pizza Company, Inc. ("Miller Pizza") submitted an application to the Commission for a Supplier's License.
2. An investigation conducted by the Indiana State Police, Gaming Enforcement Division, revealed issues relative to Miller Pizza's suitability for obtaining a Supplier's License.
3. At the time the application was submitted, Miller Pizza was a privately held company, owned by Scott and Gary Goldberg, each of whom owned 50%. On or about September 22, 2003, Indiana State Police personnel conducted an interview with Scott Goldberg. Gary Goldberg was not in attendance. Scott Goldberg advised that as of June 29, 2003, Gary Goldberg was no longer a partner in Miller Pizza and that Scott Goldberg was 100% owner. The Commission was not notified of this change and proper documentation showing the transfer was never submitted.
4. During the investigation, it was discovered that Gary Goldberg was arrested in June of 2003 on felony perjury charges stemming from Mr. Goldberg's previous involvement in a trucking company.
5. During the investigation, it was also discovered that Miller Pizza has one unsatisfied judgment against it in Cook County, Illinois from December 2002. This information was not disclosed on Miller Pizza's application for a Supplier's License. Miller Pizza advised in September of 2003 that it would submit documentation regarding this matter, but the information was never submitted.
6. It was further discovered that Miller Pizza has ten (10) open tax liens filed against it by the State of Indiana Department of Revenue for penalties on late state tax payments. This information also was not disclosed on Miller Pizza's application for a Supplier's License.
7. Upon review of the information uncovered during the investigation, Commission staff has determined that Miller Pizza is not suitable to hold a Supplier's License.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING
COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:**

SECTION 1: SCOPE

This resolution applies to Miller Pizza Company, Inc.

SECTION 2: DEFINITIONS

The definitions set forth in IC 4-33-2 and 68 IAC apply to this resolution.

SECTION 3: DENIAL OF APPLICATION FOR A SUPPLIER'S LICENSE

The Commission hereby denies the application for a Supplier's License submitted by Miller Pizza Company, Inc.

SECTION 4: EFFECTIVE DATE

This resolution is effective immediately.

ADOPTED THIS THE 30th DAY OF APRIL, 2004.

THE INDIANA GAMING COMMISSION:

Donald R. Vowels (FACSIMILE)
Donald Vowels, Chair

ATTEST:

Thomas Milcarek (FACSIMILE)
Thomas Milcarek, Secretary